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Ms. Donna C. Willard-Jones  
Secretary, American Bar Association  
750 North **Lake** Shore Drive  
Chicago, Illinois 60611

Dear Ms. Willard-Jones:

This is in response to your letter informing me of a resolution adopted by the American Bar Association (ABA) House of Delegates during its meeting of August 3-4, 1998. The resolution states that it is in the interests of government and the legal profession for government lawyers to participate in professional development and justice system improvement activities sponsored and conducted by bar associations. Further, the resolution urges governmental entities to facilitate government lawyer participation in bar associations.

Under the Department of Defense Joint Ethics Regulation (JER), supervisors who are commissioned military **officers** or civilian employees above grade GS-I 1 may permit employees to take excused absences for reasonable periods of time to participate voluntarily in the activities of nonprofit professional associations, and may permit limited use of government equipment or administrative support to prepare papers to be presented at events of nonprofit professional associations. Permission for reasonable excused absences and limited use of government equipment or administrative support may be given when:

- . the participation or paper is related to the employee's official position or to the functions, management, or mission of the Department of Defense;
- . the Department can derive some benefit from the participation **or** paper, such as enhancement of the employee's professional expertise or improved public confidence derived from professional recognition of the employee's competence; and
- . the participation or preparation of the paper does not interfere with the performance of the employee's **official** duties.

**This** authority in the JER extends to participation by Department of Defense lawyers in activities of the ABA. By copy of this letter I am notifying Department of Defense components of the ABA resolution and reminding them of the guidance in the JER.

Sincerely,

*Judith Miller*  
Judith A. Miller

cc: General Counsels of the Military Departments  
Judge Advocates General of the **Military** Departments  
General Counsels of the Defense Agencies and **DoD** Field Activities

